


EXHIBIT A

<p>1 IN THE FIFTEENTH JUDICIAL CIRCUIT COURT 2 IN AND FOR PALM BEACH COUNTY, FLORIDA 3 CASE NO.: 502006CA002638MBAD 4 SOUTHERN CONSTRUCTION SERVICES, 5 INC., a Florida corporation, 6 7 Plaintiff/Counterdefendant, 8 9 v. 10 TIARA CONDOMINIUM ASSOCIATION, INC., 11 a Florida not-for-profit corporation, 12 et al., 13 14 Defendants/Counterclaimant/ 15 Third-Party Plaintiff, 16 17 v. 18 DOMINGO CASTRO, THALLYGEE CASTRO, 19 SLIDER ENGINEERING GROUP, INC., and 20 BTEX ENGINEERING, INC., 21 22 Third-Party Defendants. 23 24 25</p> <p>VIDEOTAPED DEPOSITION OF THE WITNESS, LOUIS BRINDISI, TAKEN BY THE PLAINTIFF/COUNTERDEFENDANTS ON FRIDAY, JANUARY 4, 2008</p>	<p>1 SLAWSON CUNNINGHAM 2 WHALEN & GASPARI 3 2401 PGA Boulevard, Suite 140 4 Palm Beach Gardens, Florida 33410 5 Phone: (561)625-6260 6 ATTORNEYS FOR THE NON-PARTY ULMER 7 BY: DAVID M. GASPARI, ESQUIRE 8 9 ALSO PRESENT: Sophie Carter, Video Specialist 10 Domingo Castro 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p>INDEX</p> <table> <tr> <td>WITNESS</td> <td>DIRECT</td> <td>CROSS</td> <td>REDIRECT</td> <td>RECROSS</td> </tr> <tr> <td>LOUIS BRINDISI</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>By Mr. Telepman</td> <td>5</td> <td></td> <td></td> <td></td> </tr> <tr> <td>By Mr. Gaspari</td> <td>230</td> <td></td> <td></td> <td></td> </tr> </table> <p>EXHIBITS</p> <table> <tr> <td>Deposition Exhibit 1 & 2</td> <td>11</td> </tr> <tr> <td>Deposition Exhibit 3</td> <td>31</td> </tr> <tr> <td>Deposition Exhibit 4</td> <td>49</td> </tr> <tr> <td>Deposition Exhibit 5</td> <td>58</td> </tr> <tr> <td>Deposition Exhibit 6-8</td> <td>88</td> </tr> <tr> <td>Deposition Exhibit 9</td> <td>101</td> </tr> <tr> <td>Deposition Exhibit 10</td> <td>128</td> </tr> <tr> <td>Deposition Exhibit 11</td> <td>223</td> </tr> </table>	WITNESS	DIRECT	CROSS	REDIRECT	RECROSS	LOUIS BRINDISI					By Mr. Telepman	5				By Mr. Gaspari	230				Deposition Exhibit 1 & 2	11	Deposition Exhibit 3	31	Deposition Exhibit 4	49	Deposition Exhibit 5	58	Deposition Exhibit 6-8	88	Deposition Exhibit 9	101	Deposition Exhibit 10	128	Deposition Exhibit 11	223
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<p>1 Appearances: 2 COHEN, NORRIS, SCHERER, 3 WEINBERGER & WOLMER, P.A. 4 712 U.S. Highway One, 4th Floor 5 North Palm Beach, Florida 33408 6 Phone: (561)844-3600 7 ATTORNEYS FOR THE PLAINTIFF/COUNTERDEFENDANT 8 BY: JAMES TELEPMAN, ESQUIRE 9 10 MCALPINE & ASSOCIATES, P.C. 11 3201 University Drive, Suite 100 12 Auburn Hills, MI 48326-2361 13 Phone: (248)373-3700 14 ATTORNEYS FOR THE DEFENDANTS/ 15 COUNTERCLAIMANT/THIRD-PARTY PLAINTIFF 16 BY: MATTHEW D. NOVELLO, ESQUIRE 17 18 MEUERS LAW FIRM, P.A. 19 5395 Park Central Court 20 Naples, Florida 34109 21 Phone: (239)513-9191 22 ATTORNEYS FOR THE DEFENDANTS/ 23 COUNTERCLAIMANT/THIRD-PARTY PLAINTIFF 24 BY: STEVEN E. NURENBERG, ESQUIRE 25 26 ROBERTS, REYNOLDS, 27 BEDARD & TUZZIO, P.A. 28 470 Columbia Drive 29 Building C-101 30 West Palm Beach, Florida 33409 31 Phone: (561)688-6560 32 ATTORNEYS FOR THE THIRD-PARTY 33 DEFENDANT BTEX ENGINEERING 34 BY: ERIC W. DEMING, ESQUIRE 35 36 COLE, SCOTT & KISSANE, P.A. 37 2nd Floor 38 1645 Palm Beach Lakes Boulevard 39 West Palm Beach, Florida 33401 40 Phone: (561)383-9202 41 ATTORNEYS FOR THE THIRD-PARTY 42 DEFENDANT SLIDER ENGINEERING 43 BY: CHRISTOPHER B. HOPKINS, ESQUIRE</p>	<p>1 THE VIDEOTAPED DEPOSITION OF THE WITNESS, 2 LOUIS BRINDISI, TAKEN BY THE PLAINTIFF/THIRD-PARTY 3 DEFENDANTS, IN THE ABOVE-TITLED CAUSE, BEFORE PAMELA 4 GRIMALDI, RPR, COURT REPORTER AND NOTARY PUBLIC, 5 STATE OF FLORIDA AT LARGE, AT 712 U.S. HIGHWAY ONE, 6 NORTH PALM BEACH, FLORIDA ON FRIDAY, JANUARY 4, 7 2008, BEGINNING AT 9:33 A.M., PURSUANT TO THE NOTICE 8 HERETOFORE FILED. 9 10 THE VIDEOGRAPHER: This is the deposition of 11 Louis Brindisi in the matter of Southern 12 Construction Services versus Tiara Condominium 13 Association, Incorporated versus Domingo Castro, 14 et al. 15 My name is Sophie Carter. I'm the video 16 specialist with Legal Video & Media. The court 17 reporter is Pam Grimaldi with Pinnacle Reporting 18 Today is Friday, January 4, 2008 and the time is 19 9:33. 20 At this time will counsel please state their 21 appearances for the record? 22 MR. TELEPMAN: Jim Telepman representing 23 Southern Construction Services and the Castros. 24 MR. NOVELLO: Matt Novello representing the 25 Tiara Condominium Association and the Tiara</p>																																				

<p>5</p> <p>1 homeowners.</p> <p>2 MR. NURENBERG: Steven Nurenberg for Tiara</p> <p>3 Condominium Association.</p> <p>4 MR. GASPARI: David Gaspari for Ulmer</p> <p>5 Construction.</p> <p>6 MR. HOPKINS: Christopher Hopkins for Slider</p> <p>7 Engineering.</p> <p>8 MR. DEMING: Eric Deming for BTEX.</p> <p>9 THE VIDEOGRAPHER: Would the witness please</p> <p>10 raise your right hand to be sworn?</p> <p>11 THEREUPON,</p> <p>12 LOUIS BRINDISI,</p> <p>13 AFTER HAVING BEEN FIRST SWORN BY ME TO TELL THE WHOLE</p> <p>14 TRUTH AS HEREINAFTER CERTIFIED, TESTIFIES AS FOLLOWS:</p> <p>15 DIRECT EXAMINATION</p> <p>16 BY MR. TELEPMAN:</p> <p>17 Q Please give your full name and home address,</p> <p>18 please.</p> <p>19 A Louis Thomas Brindisi. You'll have to excuse</p> <p>20 me, I have a little bit of a sinus condition. 1003</p> <p>21 Parkway East, Utica, New York.</p> <p>22 Q You're an attorney at law by profession?</p> <p>23 A Yes.</p> <p>24 Q And you've been deposed before?</p> <p>25 A Yes.</p>	<p>7</p> <p>1 Q All right, sir. Do you still actively</p> <p>2 practice law in the State of New York?</p> <p>3 A Yes.</p> <p>4 Q What is the main subject of your practice?</p> <p>5 A Serious personal injury and wrongful death</p> <p>6 cases.</p> <p>7 Q Plaintiffs work?</p> <p>8 A Plaintiffs.</p> <p>9 Q Has that been the focus of your practice most</p> <p>10 of your career?</p> <p>11 A Yes.</p> <p>12 Q Have you ever represented a plaintiff or a</p> <p>13 defendant in a construction defect lawsuit?</p> <p>14 MR. NOVELLO: Form of the question objection.</p> <p>15 THE WITNESS: Yes.</p> <p>16 BY MR. TELEPMAN:</p> <p>17 Q How many times?</p> <p>18 A Numerous.</p> <p>19 Q Plaintiff, defendant, or both?</p> <p>20 A Plaintiff. In New York we have what we call</p> <p>21 the Labor Law. If you're injured on the job or</p> <p>22 something of that nature, you can bring direct action</p> <p>23 against the employer and against the contractor, and</p> <p>24 those types of actions.</p> <p>25 Q So your involvement as a lawyer in</p>
<p>6</p> <p>1 Q So you understand the rules of taking a</p> <p>2 deposition both as an attorney and as a witness?</p> <p>3 A Yes.</p> <p>4 Q I won't waste any time, then, by going</p> <p>5 through the rules. But if you have any questions as we</p> <p>6 proceed, please feel free to interrupt.</p> <p>7 Where are you licensed to practice law?</p> <p>8 A New York and Florida.</p> <p>9 Q How long have you been licensed to practice</p> <p>10 law in New York?</p> <p>11 A Since 1960.</p> <p>12 Q How long have you been licensed to practice</p> <p>13 law in the State of Florida?</p> <p>14 A I was thinking about that. I think it was</p> <p>15 19 -- '78 rings out in my mind, but I'm not positive.</p> <p>16 Q That's okay, sir.</p> <p>17 Have you ever actively practiced law in the</p> <p>18 State of Florida?</p> <p>19 A No.</p> <p>20 Q For what purpose did you obtain a license to</p> <p>21 practice law in the State of Florida?</p> <p>22 A I thought about practicing in the State of</p> <p>23 Florida.</p> <p>24 Q Just never got around to it?</p> <p>25 A Just never got around to it.</p>	<p>8</p> <p>1 construction-related cases has been primarily limited</p> <p>2 to cases on behalf of injured workers?</p> <p>3 A Yes.</p> <p>4 Q Not so much representing contractors versus</p> <p>5 owners?</p> <p>6 A No.</p> <p>7 Q Have you ever been involved in a case</p> <p>8 representing a contractor versus an owner or vice</p> <p>9 versa?</p> <p>10 MR. NOVELLO: Objection. Form.</p> <p>11 THE WITNESS: I'm sure I have over the years.</p> <p>12 BY MR. TELEPMAN:</p> <p>13 Q Can you give us one example?</p> <p>14 A I cannot.</p> <p>15 Q All right. You're presently an owner of</p> <p>16 multiple units at the Tiara Condominium?</p> <p>17 A Yes.</p> <p>18 Q When did you first purchase a unit in the</p> <p>19 Tiara Condominium? Approximately.</p> <p>20 A 1978.</p> <p>21 Q So is it fair to say that you have</p> <p>22 continuously been a unit owner at the Tiara since</p> <p>23 approximately 1978?</p> <p>24 A Yes.</p> <p>25 Q When did you obtain your second unit at the</p>


241

1 CERTIFICATE

2
3 The State of Florida
4 County of Palm Beach5 I, Pamela Grimaldi, Registered Professional Reporter
6 and Notary Public, State of Florida at Large, do
7 hereby certify that LOUIS BRINDISI personally
8 appeared and was by me first duly sworn to testify
9 the whole truth; that I was authorized to and did
10 report said deposition in stenotype; and that the
11 foregoing pages, numbered from 1 to 237 inclusive,
12 are a true and correct transcription of my shorthand
13 notes of said deposition.14 I further certify that the said deposition was taken
15 at the time and place hereinabove set forth and that
16 the taking of said deposition was commenced and
17 completed as hereinabove set forth.18 I further certify that I am not attorney or counsel
19 of any of the parties, nor am I a relative or
20 employee of any attorney or counsel, or financially
21 interested in the action.22 The foregoing certification of this transcript does
23 not apply to any reproduction of the same by any
24 means unless under the direct control and/or
25 direction of the certifying reporter.In witness whereof I have hereunto set my hand and
seal this 14th day of January 2008.

 Pamela Grimaldi, RPR
 Notary Public, State of Florida
 at large NoN8 My commission expires
 07/07/11 NoN8 DD 695797N8

242

1 CERTIFICATE OF OATH

2
3 STATE OF FLORIDA
4 COUNTY OF PALM BEACH5
6 I, Pamela Grimaldi, RPR, Notary Public, State
7 of Florida at large, do hereby certify that LOUIS
8 BRINDISI personally appeared before me and was duly
9 sworn.10 Witness my hand and seal this 14th day of
11 January, 2008.

 Pamela Grimaldi, RPR
 Notary Public - State of Florida
 My Commission NoN8: DD 695797
 Expires: July 7, 2011
 